

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:12cr13-MOC

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **ORDER OF FORFEITURE**
)
(3) TIMOTHY JAMES DONAHUE,)
)
Defendant.)

THIS MATTER is before the Court on the Government's Motion for Money Judgment.

THIS COURT FINDS AS FOLLOWS:

1. The First Superseding Bill of Indictment (Doc. 71) in this case charged Defendant with, amongst other violations, Hobbs Act conspiracy and robbery in violation of 18 U.S.C. § 1951. The Indictment also provided notice that property was subject to forfeiture pursuant to 18 U.S.C. § 981 and 28 U.S.C. § 2461(c) and specifically contained a Grand Jury finding that there was probable cause that a forfeiture money judgment of \$1,500,000, representative of the proceeds of the robbery, was subject to forfeiture.

2. Following trial, a jury found Defendant guilty of the 18 U.S.C. § 1951 conspiracy and robbery set forth in the Indictment that contains a Grand Jury finding of probable cause for a \$1,500,000 proceeds money judgment. In addition, information in the record, including but not limited to trial testimony of a victim and co-conspirator Roderick Hardin, establishes that at least \$1.5 million was stolen from the victim. Furthermore, the record establishes that, although law enforcement has returned \$554,259 of the proceeds to the victims of the robbery, \$945,741 in

proceeds that were obtained by Defendant have not yet been located.

IT IS THEREFORE ORDERED that, for purposes of Fed. R. Crim. P. 32.2 and 18 U.S.C. 981(a)(1)(C) and 28 U.S.C. § 2461(c), and based on the Indictment and Grand Jury finding of probable cause, verdicts of guilt, trial testimony, Motion for Money Judgment, and record, the Government has established the amount of the money judgment and this Order shall constitute a money judgment for the following property:

A forfeiture money judgment in the amount of \$945,741, such amount constituting the proceeds of the Hobbs Act conspiracy and robbery offenses of which Defendant was found guilty, less proceeds returned to-date to the victims.

8-29-13
